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PAULEY CONSTRUCTION, INC.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO

SIFA TUIAKI and LUPE TUIAKI,

Plaintiffs,

v.

PACIFIC GAS AND ELECTRIC
COMPANY, PAULEY
CONSTRUCTION, INC., TRAFFIC
SOLUTIONS, INC., ADELPHIA
TELECOMMUNICATIONS CO., INC.,
SBC TELECOMMUNICATIONS, INC.,
MOBILE TOOL INTERNATIONAL, INC.
dba TELSTA, COUNTY OF
MENDOCINO, STATE OF
CALIFORNIA, PACIFIC BELL
TELEPHONE COMPANY, PACIFIC
TELESIS GROUP, SBC OPERATIONS,
INC., and DOES 1 to 50,

Defendants.

CASE NO.: CGC-03-419761 (Consolidated
with 04-432476)

**PAULEY CONSTRUCTION, INC.'S.
REQUEST FOR JUDICIAL NOTICE
PURSUANT TO ITS DEMURRER**

Cross-Complaint Filed: 11/2/05
Amended Cross-Complaint Filed: 2/22/07
2nd Amended Cross-Complaint Filed: 4/11/07

Date: May 14, 2007
Time: 9:30 a.m.
Department: 301

TO THE HONORABLE JUDGE OF THE SAN FRANCISCO SUPERIOR COURT:

Pursuant to Evidence Code Section 452(d) and 453, Cross-defendant PAULEY
CONSTRUCTION, INC. respectfully requests that this Court take judicial of the files and the
following specified pleadings and documents from, *Sifa Tuiaki and Lupe Tuiaki v. Pacific Gas and*

1 *Electric Company, et al.*, San Francisco Superior Court Case No. CGC-03-419761 (Consolidated with
2 04-432476):

3 1. Adelphia's Second Amended Cross-complaint, served on March 16, 2007 in the current San
4 Francisco Superior Court Action No. CGC-03-419761 (Consolidated with 04-432476).

5 2. Pleadings and documents filed in United States Bankruptcy Court, Southern District of New
6 York *In Re Adelphia Communications Corporation et al.*, Chapter 11 Cases, Case No. 02-41729
7 (REG).

8 3. February 20, 2007, Court order granting Pauley's unopposed motion for good faith settlement
9 confirming the settlement between Pauley, S.G. Barber and Plaintiffs and ruling that any and all actual
10 and/or potential claims by Plaintiffs, Defendants, Cross-complainants, Cross-defendants, and by any
11 other actual or potential party against any of the parties to the settlement by any joint tortfeasor or co-
12 obligor for equitable comparative contribution or partial or comparative indemnity based on
13 comparative negligence or comparative fault are forever barred.

14 4. August 1, 2006, Court order denying Adelphia's Motion for Summary Adjudication seeking
15 to compel Pauley to defend and indemnify it pursuant to the terms of the July 7, 2000 contract.

16
17 DATED: April 16, 2007

18 CLAPP, MORONEY, BELLAGAMBA
19 and VUCINICH

20
21 By: 

22 JEFFREY M. VUCINICH

23 JOSHUA W. ROSE

24 Attorneys for Defendant/Cross-Complainant/
25 Cross-Defendant

26 PAULEY CONSTRUCTION, INC.